

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 1213 Holocaust Education  
**SPONSOR(S):** Fine  
**TIED BILLS:** None **IDEN./SIM. BILLS:** SB 1628

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) PreK-12 Innovation Subcommittee		McAlarney	Brink
2) PreK-12 Appropriations Subcommittee			
3) Education Committee			

### SUMMARY ANALYSIS

This bill permits the Florida Department of Education to contract with the Florida Holocaust Museum to develop instructional materials for courses on the history of the Holocaust, a required subject for K-12 public school students.

This bill does not appear to have a fiscal impact.

The bill takes effect on July 1, 2020.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### **Present Situation**

##### **Required Holocaust Instruction**

Section 1003.42(2), Florida Statutes provides for required instruction for public school students in grades K-12. This section of law requires instruction on specific subject matter including historical time periods, comprehensive health education, and government, among others. Instructional personnel are required to teach these subjects efficiently and faithfully, using historically accurate books and materials, following prescribed courses and approved methods of instruction.<sup>1</sup> The statute does not dictate grade levels, instructional materials, or instructional hours requirements.<sup>2</sup> In October 2019, the Department of Education (DOE) adopted a rule requiring school districts to report, annually each summer, on how instruction was provided during the previous school year for certain subjects defined in s. 1003.42, F.S., including the history of the Holocaust. The report must include specific courses offered for each grade level and what materials and resources were used.<sup>3</sup>

Included in required instruction statute is the history of the Holocaust, which is described as “the systematic, planned annihilation of European Jews and other groups by Nazi Germany.”<sup>4</sup> Instructional personnel are required to teach the history of the Holocaust, “in a manner that leads to an investigation of human behavior, an understanding of the ramifications of prejudice, racism, and stereotyping, and an examination of what it means to be a responsible and respectful person, for the purposes of encouraging tolerance of diversity in a pluralistic society and for nurturing and protecting democratic values and institutions.”<sup>5</sup>

For grades K-8, the DOE has not promulgated standards for history of the Holocaust, thus, according to the DOE, school districts may teach this subject in ways they deem appropriate.<sup>6</sup> For example, some districts include the history of the Holocaust in character education and civics classes.<sup>7</sup> For grades 9-12, it is included in American History<sup>8</sup> and World History standards.<sup>9</sup>

##### **Commissioner of Education’s Task Force on Holocaust Education**

After required instruction on the history of the Holocaust became law in 1994, the Commissioner of Education created the Department of Education Commissioner’s Task Force on Holocaust Education (Task Force).<sup>10</sup> The Task Force designs, encourages, and promotes the implementation of Holocaust

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<sup>1</sup> Section 1003.42(2), F.S.

<sup>2</sup> See s. 1003.42(2), F.S.

<sup>3</sup> Rule 6A-1.094124, F.A.C.

<sup>4</sup> Section 1003.42(2)(g), F.S.

<sup>5</sup> *Id.*

<sup>6</sup> Florida Department of Education, 2020 Agency Legislative Bill Analysis, *SB 184*, July 1, 2020, available at <http://abar.laspbs.state.fl.us/ABAR/Attachment.aspx?ID=29714>.

<sup>7</sup> *Id.*

<sup>8</sup> CPALMS, Standards, Social Studies, American History, *SS.912.A.6.7*, available at <https://www.cpalms.org/Public/PreviewStandard/Preview/3371> (last visited January 24, 2020). CPALMS is the State of Florida’s official source for standards information and course descriptions. It provides access to thousands of standards-aligned, free, and high-quality instructional/educational resources that have been developed specifically for the standards and vetted through a rigorous review process.

<sup>9</sup> CPALMS, Standards, Social Studies, World History, *SS.912.W.7.8*, available at <https://www.cpalms.org/Public/search/Standard#> (last visited January 24, 2020).

<sup>10</sup> Florida Department of Education, *Commissioner of Education’s Task Force on Holocaust Education*, <http://www.fldoe.org/holocausteducation> (last visited January 22, 2020).

education in schools. Additionally, the Task Force provides programs for each school district and coordinates events to memorialize the Holocaust.<sup>11</sup>

## Florida Holocaust Museum

The Florida Holocaust Museum (Museum) is a museum dedicated to memorializing the history of the Holocaust, with a goal of teaching people of “all races and cultures the inherent worth and dignity of human life in order to prevent future genocides.”<sup>12</sup> The Museum is funded through grants from the state of Florida as well as private donors. The Museum displays exhibitions, permanent and temporary, depicting life events of Jews in Nazi occupied Europe.<sup>13</sup> The Museum also has hosted exhibits highlighting other persecuted groups.

The Museum provides teacher training<sup>14</sup> and creates free Holocaust educational resources for Florida public, private, and parochial schools.<sup>15</sup> As “a service provider contracted by the DOE,”<sup>16</sup> the Museum produced a teaching tool, the Teaching Trunk.<sup>17</sup> Teaching Trunks include lesson plans, literature sets, videos, posters, and instructional aides.<sup>18</sup> The “Arts” trunk explores “the themes of the Holocaust, character education, genocide studies and human behavior through the arts. The lessons discuss artwork and are designed for art as well as all other classes.”<sup>19</sup>

## Effects of Proposed Changes

The bill permits the DOE to contract with the Florida Holocaust Museum to develop instructional materials for courses on the history of the Holocaust, a subject required for K-12 public school students under s. 1003.42, F.S.

### B. SECTION DIRECTORY:

**Section 1.** Amends s. 1003.42(2)(g), F.S., authorizing the Department of Education to contract with the Florida Holocaust Museum for specified purposes relating to required instruction.

**Section 2.** Provides an effective date of July 1, 2020.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

#### 1. Revenues:

None.

#### 2. Expenditures:

None.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

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<sup>11</sup> *Id.*

<sup>12</sup> The Florida Holocaust Museum, *Mission*, <https://www.flholocaustmuseum.org/mission/> (last visited January 23, 2020).

<sup>13</sup> The Florida Holocaust Museum, *About*, *The Florida Holocaust Museum History*, <https://www.flholocaustmuseum.org/about/fhm-history/> (last visited January 23, 2020).

<sup>14</sup> The Florida Holocaust Museum, *Learn*, *Teacher Training*, <https://www.flholocaustmuseum.org/learn/teacher-training/> (last visited January 24, 2020).

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

<sup>17</sup> *Id.*

<sup>18</sup> *Id.*

<sup>19</sup> *Id.*

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

### **III. COMMENTS**

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

### **IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

Not applicable.